

REMARKS

The Examiner's Office Action has been thoroughly considered. By way of the remarks and amendments herein, Applicants believe their application to be in condition for allowance. In the instant Office Action, the Examiner rejected to Claims 1 through 5 and 7 through 10 under 35 U.S.C. § 103(a) as being unpatentable over Tayloe et al., U.S. Patent Number 5,023,900, in view of Feuerstein et al., U.S. Patent Number 6,141,565. The Examiner objected to Claims 6, 11 and 12 as being allowable if rewritten in independent form to include all of the limitations of the base claims and any intervening claims.

Applicant respectfully traverses the Examiner's obviousness rejection regarding Claims 1 through 5 and 7 through 10. Applicant advances that the cited art of record, including the teachings of Tayloe et al. and Feuerstein et al., individually or in combination, fail to teach or suggest Applicant's invention, as presently claimed. Applicant has amended independent Claim 1 and 7 to further emphasize the distinction between the art of record and his invention.

Applicant submits that neither the Tayloe et al. nor Feuerstein et al. reference teach or suggest power control in a code division multiple access ("CDMA") network. Applicants presently pending independent Claims 1 and 7 recite a method for displaying in real time the level of the power control signal at a base station in a CDMA network. The Tayloe et al. reference, however, teaches a method of evaluating electromagnetic coverage of a geographic area serviced by a time division multiple access ("TDMA") system. Applicant directs the Examiner's attention to column 4, lines 1-7 and column 5, lines 5 through 18, of the Tayloe et al. reference for support for this conclusion. Applicants submit that TDMA networks operate in a totally distinct manner from CDMA networks.

Moreover, the Feuerstein et al. reference discloses means for optimizing a network, including using transmit power information for a particular beam, sector or

cell. Applicant argues that this approach is directed towards analog wireless technology, in contrast with CDMA. Applicant points to column 2, line 60 through column 3, line 17, and column 8, lines 11 through 38, of the Feuerstein et al. reference for support for this conclusion. Applicants acknowledge that mention is made to CDMA networks in column 1, line 67 through column 2, line 1 of the Feuerstein et al. reference. However, Applicants contend that this reference to CDMA is immaterial and lacking substance because the entire focus of the reference's teachings is limited to analog wireless technology and **not** a CDMA network.

In view of the above, Applicant advances that there is neither a teaching nor a suggestion to combine the art of record, including the teachings of the Tayloe et al. and the Feuerstein et al. references. Moreover, even if such a suggestion were to exist, in arguendo, Applicant contends that the combination posed would still fail to teach or suggest Applicant's invention as claimed. Contrary to the Examiner's contention, if the references were combined as posed in the most recent Office Action, the resultant combination would still fail to teach or suggest a method for displaying in real time the level of the power control signal at a base station in a CDMA network, wherein such a method includes the step of displaying the current level of the power control signal to show the level of the power control signal relative to a threshold level where a less than optimum operating condition can occur in the operation of the CDMA network.

In view of the above comments, Applicant consequently advances that his independent Claims 1 and 7 are neither taught nor suggested by the references made of record. Consequently, Applicant puts forth that all of his dependent claims are patentable on the basis that they depend on an allowable independent claim. In this regard, while Applicant graciously acknowledges the Examiner's mere objections to dependent Claims 6, 11 and 12, Applicant believes these claims to be novel and non-obvious over the art of record.

Applicant believes that a full and complete response has been made to Examiner Ferguson's Office Action. Thus, in view of the hereinabove remarks, Applicant respectfully requests allowance of their patent application and its claims. To that end, if the Examiner feels that a conference might expedite the prosecution of this case, the Examiner is cordially invited to call the undersigned.

Respectfully submitted,



Ozer M. N. Teitelbaum
Attorney for the Applicants
Reg. No. 36,698
(973)-386-8803

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Docket Administrator (Room 3J-219)
Lucent Technologies Inc.
101 Crawfords Corner Road
Holmdel, NJ 07733-3030